

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Victoria Donnelly on 4/18/2006.

The application has been amended as follows:

RP 5/10/06  
and 6  
Claim 1 line 5, delete the recitation "if the monitored optical signal power is below a loss of signal (LOS) power threshold,"

RP 5/10/06  
and 7  
Claim 9 line 6, delete the recitation "if the monitored optical signal power is below a loss of signal (LOS) power threshold,"



The claim amendment is necessary to clarify the claim language and more distinctly claim the allowable subject matter.

The following is an examiner's statement of reasons for allowance:

Electronic variable optical attenuators are known in the optical communications device art. Various methods of operating electronic variable optical attenuators are also known in the